

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

IFTIKHAR H. SAIYED,

Plaintiff,

v.

Civil Action No. 1:14-22165

SHARON PRESLEY, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending before the court are defendants Sharon Presley and Nationwide Mutual Insurance Company's motion to dismiss, (Doc. No. 11), and defendant 3-S Network, Inc.'s motion to dismiss. (Doc. No. 14). By Standing Order, this matter was referred to United States Magistrate Judge R. Clarke VanDervort for submission of findings and recommendations regarding disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). (Doc. No. 3). Magistrate Judge VanDervort submitted to the court his Proposed Findings and Recommendation on February 12, 2015, in which he recommended that the district court grant both motions to dismiss and remove this matter from the court's docket. (Doc. No. 34).

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge VanDervort's Findings and Recommendation. The failure to file such objections constitutes a waiver of the right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

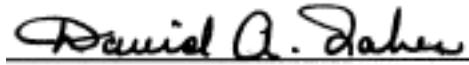
Plaintiff failed to file any objections to the Magistrate Judge's Findings and Recommendation within the seventeen-day period. Having reviewed the Findings and Recommendation filed by Magistrate Judge VanDervort, the court adopts the findings and recommendation contained therein.

Accordingly, the court hereby **ADOPTS** the factual and legal analysis contained within the PF&R, **GRANTS** defendants Sharon Presley and Nationwide Mutual Insurance Company's motion to dismiss, (Doc. No. 11), **GRANTS** defendant 3-S Network, Inc.'s motion to dismiss, (Doc. No. 14), and **DIRECTS** the Clerk to remove this case from the court's docket. Plaintiff's motions to transfer the case to the Eastern District of Virginia, (Doc. Nos. 20, 23, 31), and motions for a jury trial, (Doc. Nos. 21, 24, 31), are hereby **DENIED** as moot.

The Clerk is further directed to forward a copy of this Memorandum Opinion and Order to all counsel of record and to plaintiff, pro se.

It is **SO ORDERED** this 17th day of March, 2015.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge